

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

MOHAMED ELMESHAD, individually  
and on behalf of others similarly situated,

Plaintiffs,

v.

GHT PETROLEUM, INC., GOLDEN TOUCH  
GAS & FOOD, INC., TARLOK SINGH,  
and HARINDER SINGH,

Defendants.

07-CIV-5990  
(CLB)(LMS)

STIPULATION OF SETTLEMENT

1. Plaintiff Elmeshad and the Defendants stipulate to this agreed upon settlement.
2. The Defendants <sup>by GHT Petroleum, Inc.</sup> shall pay Plaintiff Elmeshad fifty thousand dollars (\$50,000.00). One-half of the payment (\$25,000.00) will be reported on an IRS Form W-2 for overtime wages (minus applicable deductions and taxes) and the other one-half (\$25,000.00) will be reported on an IRS 1099 form as liquidated damages.
3. In addition to the payment to Plaintiff Elmeshad, Defendants will pay the Getman Law Office <sup>counsel (Greenwald Law Office)</sup> seventeen thousand dollars (\$17,000.00) in legal fees and costs. Defendants <sup>counsel</sup> will report the payment on an IRS 1099 Form to "Getman Law Office". Plaintiff's counsel will provide defense counsel with its tax id number for the purposes of making the payment.
4. Defendants will pay Plaintiff Elmeshad and Plaintiff's counsel within <sup>30</sup>~~14~~ days of signing this agreement. Defendant will deliver the checks to Plaintiff's counsel.
5. Plaintiff Elmeshad and Defendants release and discharge each other, the releasee's heirs, executors, administrators, successors, and assigns from all actions, causes of action, suits,


debts, sums of money, accounts, reckonings, bonds, bill, specialties, covenants, contracts, controversies agreements, promises, variances, trespasses, damages, judgments, extents, executions, claims, and demands, whatsoever, in law, admiralty, or equity, which against the releasee, the releasee's heirs, executors, administrators, successors and assigns, that releasor, ever had, now have or hereafter can, shall or may, have for, upon, or by reason of any matter, cause or thing whatsoever from the beginning of the world to the day of the date of this Release.

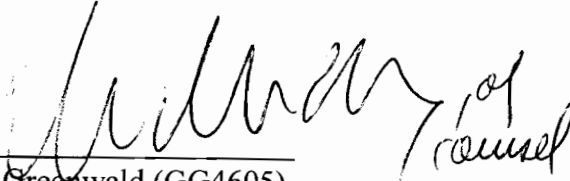
6. The affidavit, filed as Document 19-6 on November 13, 2007, is a legal nullity.
7. A Court authorized notice (Ex. A) will be sent to all individuals who signed the affidavit as referenced in paragraph 6.

8. Plaintiff's counsel will mail the Court authorized notice <sup>via certified mail,</sup> and Defendants' <sup>attorneys</sup> will pay for all costs for such mailing. <sup>Defendants attorneys will prepare the notice authorized by Court with names and last known addresses and will provide the same to Plaintiffs' counsel</sup>
9. The parties agree that all claims and counterclaims are hereby dismissed with prejudice. <sup>For mailing within 14 days.</sup>


However, the Court retains jurisdiction to enforce the terms of the settlement.

10. The Parties request that this stipulation be "so ordered".

/s/   
Dan Getman (DG 4613)  
Matt Dunn (MD 1103)  
Getman Law Office  
9 Paradies Lane  
New Paltz, New York 12561  
(845) 255-9370

/s/  of counsel  
Gary Greenwald (GG4605)  
David Brodsky (DAB 6624)  
Greenwald Law Offices  
99 Brookside Avenue  
Chester, New York 10918  
(845) 469-4900

ENTER}  
SO ORDERED}

  
Hon. Lisa M. Smith  
Chief U.S. Magistrate Judge

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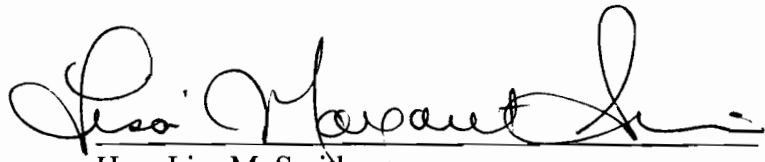
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COURT ORDERED NOTICE TO [Name of Person]:

By Order of Honorable Lisa M. Smith you are hereby notified that the Defendants and/or their attorneys impermissibly secured an affidavit from you. **The affidavit has absolutely no legal authority and was improperly obtained. You are not bound by the statements in the affidavit or any promise not to sue the Defendants for failure to pay overtime or the minimum wage.** You are free to decide whether or not you want to bring claims for unpaid overtime and/or minimum wage violations. The Fair Labor Standards Act protects you absolutely against retaliation by the Defendants for participating in a lawsuit. Any such federal claims must be brought within 2 years (3 if the violation was willful) of the pay week in which you were underpaid. State overtime claims can be brought within 6 years of the pay week in which you were underpaid.

Dated: Nov. 21, 2007

  
Hon. Lisa M. Smith  
Chief United States Magistrate Judge